

The opinion in support of the decision being
entered today is not binding precedent of the Board.

Paper 1

Filed by: Judge Sally C. Medley
Administrative Patent Judge
Box Interference
Washington, D.C. 20231
Tel: 703-308-9797
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Filed
April 14, 2003

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

LAWRENCE E. TANNAS, JR.

Junior Party,
(Patents 6,204,906 and 6,380,999),

v.

MAILED

APR 14 2003

PAT. & T.M. OFFICE
BOARD OF PATENT APPEALS
AND INTERFERENCES

DAVID S. WATSON
Senior Party,
(Application 09/529,201).

Patent Interference No. 105,096

NOTICE DECLARING INTERFERENCE
(37 CFR § 1.611)

Part A. Declaration of interference

An interference is declared (35 U.S.C. § 135(a)) between the above-identified parties.

Details of the application(s), patent (if any), reissue application (if any), count(s) and claims designated as corresponding or as not corresponding to the count(s) appear in Parts E and F of this NOTICE DECLARING INTERFERENCE.

Part B. Judge designated to handle the interference

Administrative Patent Judge Sally C. Medley has been designated to handle the interference. 37 CFR § 1.610(a).

Part C. Standing order

A Trial Section STANDING ORDER accompanies this NOTICE DECLARING INTERFERENCE. The STANDING ORDER applies to this interference.

Part D. Conference call to set dates

A telephone conference call to set dates for taking action in the interference is scheduled for **1:30 p.m. on 29 May 2003** (the call will be initiated from the PTO).

No later than **two business days** prior to the conference call, each party shall file and serve by facsimile a list of the preliminary motions the party intends to file. See § 17 of the STANDING ORDER.

A copy of a "sample" order setting times for taking action during the preliminary motion phase of the interference accompanies this NOTICE DECLARING INTERFERENCE.

Counsel are encouraged to discuss the order prior to the conference call with the view to coming to some mutual agreement as to dates for taking action. A typical preliminary motion period lasts approximately nine (9) months. Counsel should be prepared to justify any request for a shorter or longer period.

The Board is conducting a pilot program in electronic filing of interference papers. The procedure is explained in University of New Mexico v. Fordham Univ., No. 104,761 (2001) (<<http://www.uspto.gov/web/offices/dcom/bpai/its/104761-021.pdf>>). Counsel should be prepared to discuss participation in the pilot program.

Part E. The parties involved in this interference are:

Junior Party

Named inventor: LAWRENCE E. TANNAS, JR., Orange, CA

Patents: 6,204,906, granted 20 March 2001, based on application 09/274,427 filed 22 March 1999

6,380,999, granted 30 April 2002, based on application 09/812,370 filed 16 March 2001

Title: Methods of customizing the physical size and shape of commercial off-the-shelf (COTS) electronic displays

Assignee: none

Accorded Benefit: 6,380,999 patent is accorded benefit of the 09/274,427 application, now patent 6,204,906 patent, filed 22 March 1999

Attorneys: See last page

Address: See last page

Senior Party

Named Inventor: DAVID S. WATSON, Edinburgh, United Kingdom

Application: 09/529,201, filed 18 May 2000

Title: Liquid crystal displays

Assignee: Bae Systems Avionics Limited

Accorded Benefit: PCT/GB98/02586, filed 27 August 1998,
GB 9721804.4, filed 15 October 1997,
GB 9814577.4, filed 7 July 1998

Attorneys: See last page

Address: See last page

Part F. Counts and claims of the parties

Count 1

Claim 96 of Application 09/529,201

or

Claim 1 of Patent No. 6,204,906

or

Claim 53 of Application 09/529,201

or

Claim 1 of Patent No. 6,380,999

The claims of the parties are:

Tannas '906: 1-43

Tannas '999: 1-7

Watson: 53, 78, 88-92 and 94-102

The claims of the parties which correspond to Count 1 are:

Tannas '906: 1, 36-38

Tannas '999: 1 and 2

Watson: 53, 88-90, 96 and 97

The claims of the parties which do not correspond to Count 1 are:

Tannas '906: 2-35 and 39-43

Tannas '999: 3-7

Watson: 78, 91, 92, 94, 95 and 98-102

Count 2

Claim 100 of Application 09/529,201

or

Claim 26 of Patent No. 6,204,906

or

Claim 78 of Application 09/529,201

or

Claim 5 of Patent No. 6,380,999

The claims of the parties are:

Tannas '906: 1-43

Tannas '999: 1-7

Watson: 53, 78, 88-92 and 94-102

The claims of the parties which correspond to Count 2 are:

Tannas '906: 26, 42 and 43

Tannas '999: 3-7

Watson: 78, 91, 92, 94, 95 and 98-102

The claims of the parties which do not correspond to Count 2 are:

Tannas '906: 1-25 and 27-41

Tannas '999: 1 and 2

Watson: 53, 88-90, 96 and 97

The claims of the parties which do not correspond to either Count 1 or Count 2:

Tannas '906: 2-25, 27-35 and 39-41

Tannas '999: none

Watson: none

Part G. Heading to be used on papers

The following heading shall be used on papers filed in the interference. See
§ 18 of the STANDING ORDER.

Paper ¹

Filed on behalf of [name of party]

By: Name of lead counsel, Esq.

Name of backup counsel, Esq.

Street address

City, State, and Zip-Code

Tel:

Fax:

UNITED STATES PATENT AND TRADEMARK OFFICE

**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES
(Administrative Patent Judge Sally C. Medley)**

LAWRENCE E. TANNAS, JR.

Junior Party,
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**DAVID S. WATSON
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Patent Interference No. 105,096

TITLE OF PAPER

¹ Leave a blank line because the board assigns the paper number.

Part H. Summary of dates for taking action

Times for taking action are set out in the following sections of the STANDING ORDER:

1. § 7: date for identifying lead and backup counsel.
2. § 8: date for identifying any real party in interest.
3. § 9: date for requesting copies of involved and benefit applications and patents.
4. § 17: date for filing list of proposed preliminary motions.
5. § 19: date for accomplishing certain discovery.
6. § 20: date for filing clean copy of claims.
7. § 21: date for filing clean copy of claims in cases with drawings and/or claims containing a means plus function limitation.
8. § 23: dates for filing oppositions to Rule 635 miscellaneous motions and dates for filing replies to oppositions.
9. § 33: date for objecting to admissibility of evidence.
10. § 34: date for serving supplemental affidavits or evidence to respond to objection to admissibility of evidence.
11. § 35: dates when cross-examination can take place.
12. § 45: dates for taking action with respect to settlement discussions

Part I. Order form for requesting file copies

FILE COPY REQUEST

Interference 105,096

A copy of Part E of this NOTICE DECLARING INTERFERENCE should be attached to this FILE COPY REQUEST, with a circle by hand around the patents and applications for which a copy of a file wrapper is desired.

To facilitate processing of this FILE COPY REQUEST, the following information should be included:

1. Charge fees to USPTO Deposit Account No. _____
2. Complete address, including street, city, state, zip code and telephone number (do not list a Post Office box inasmuch as file copies are sent via commercial overnight courier).

Telephone, including area code: _____

Part J. Signature of administrative patent judge


SALLY C. MEDLEY
Administrative Patent Judge

Date: 4/14/03
Arlington, VA

Enc:

Copy of STANDING ORDER

Copy of order used for setting times for taking action in the preliminary motion phase of the interference (ORDERPM6)

Copy of order used for setting times for taking action in the testimony and briefing phases of the interference (ORDERTE6)

PTO Form 850 and Examiner's explanation

Copy U.S. Patents 6,204,906 and 6,380,999

Copy of application claims 09/529,201

DECLARE.007
Revised 12 October, 2000
(replaces DECLARE.006.1)

cc (via Federal Express):

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